

IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPEAL NO. 865 OF 2010
ARISING OUT OF
SPECIAL LEAVE PETITION (CRIMINAL) NO. 6360 OF 2009

RAMA RANI & ORS.

.....

APPELLANTS

VERSUS

STATE OF M.P. & ANR.

....

RESPONDENTS

O R D E R

1. Leave granted.

2. This appeal arises out of the order dated 24th April, 2009 passed by the learned Single Judge of the High Court of Madhya Pradesh whereby an application under Section 482 of the Code of Criminal Procedure filed by the appellants herein had been rejected solely on the ground that the evidence before the trial court had already been completed with the result that the quashing at this late stage was not called for.

3. Mr. Shakeel Ahmed Syed, the learned counsel for the appellants herein has also filed some additional documents including the order sheet up to 12th May, 2009 which reveals that in fact no statements have so far been recorded. He further states that even thereafter no statements had been recorded because the respondents have been getting the case adjourned on the

plea that some matters were pending either in the High Court or in the Supreme Court.

4. In this view of the matter and in the light of the fact that an error has apparently been committed by the learned Single Judge in the impugned order, we set aside the order aforesaid and remit the case to the High Court for decision afresh.

5. We must also observe that this matter had been referred to the Mediation Cell of this Court to see if any settlement could be arrived at. A report from the Cell dated 25th March, 2010 has been received which is in the negative.

6. We further make it clear that any observation hereinabove would not affect the decision of the High Court either ways.

7. The appeal stands disposed of in the aforesaid terms. Parties shall appear before the High Court on 17th August, 2010.

.....J
[HARJIT SINGH BEDI]

.....J
[J.M. PANCHAL]

NEW DELHI
APRIL 22, 2010.

SUPREME COURT OF INDIA



JUDGMENT